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(Original Signature of Member)

108<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

To promote deployment of and investment in advanced Internet  
communications services.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. STEARNS (for himself and Mr. BOUCHER) introduced the following bill;  
which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To promote deployment of and investment in advanced  
Internet communications services.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Advanced Internet  
5       Communications Services Act of 2004”.



1 **SEC. 2. REGULATORY TREATMENT.**

2 (a) CONSIDERATION AS INTERSTATE SERVICE.—An  
3 advanced Internet communications service shall be consid-  
4 ered an interstate service.

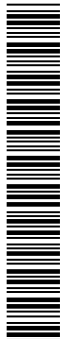
5 (b) REGULATORY TREATMENT.—An advanced Inter-  
6 net communications service shall be considered neither a  
7 telecommunications service nor an information service for  
8 purposes of the Communications Act of 1934 (47 U.S.C.  
9 151 et seq.).

10 (c) LIMITATION.—Subject to section 3, but notwith-  
11 standing this section or any other provision of law, neither  
12 the Federal Communications Commission nor any State  
13 may regulate the rates, charges, terms, or conditions for,  
14 or entry into, or exit from, the provision of, any advanced  
15 Internet communications service.

16 **SEC. 3. COMMISSION EXCLUSIVE AUTHORITY REGARDING**  
17 **ADVANCED INTERNET COMMUNICATIONS**  
18 **SERVICES.**

19 (a) DETERMINATION REGARDING REQUIREMENTS  
20 AND OBLIGATIONS.—

21 (1) IN GENERAL.—The Commission shall have  
22 exclusive authority regarding advanced Internet  
23 communications services, and shall, by regulation,  
24 impose requirements or obligations on providers of  
25 advanced Internet communications voice service to  
26 carry out the following purposes:



1 (A) Ensure that appropriate E-911 serv-  
2 ices are available to users of advanced Internet  
3 communications voice services.

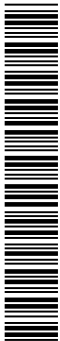
4 (B) Provide access to such service by per-  
5 sons with disabilities.

6 (C) Contribute directly to the universal  
7 service fund.

8 (D) Provide for just and reasonable com-  
9 pensation for use of the public switched tele-  
10 phone network.

11 (2) STANDARD.—The Commission may estab-  
12 lish regulations imposing requirements or obligations  
13 referred to in paragraph (1) only to the extent that  
14 the Commission determines such regulations are  
15 technically feasible and economically reasonable.

16 (3) PARITY AMONG PROVIDERS.—The Commis-  
17 sion shall ensure that the requirements or obliga-  
18 tions referred to in paragraph (1) apply equally to  
19 all providers of advanced Internet communications  
20 voice services, and neither the Commission nor any  
21 State may regulate the underlying Internet Protocol  
22 transmission networks, facilities, or equipment that  
23 support or transmit any advanced Internet commu-  
24 nications voice service in a manner that results in  
25 the unequal application of regulation to any Internet



1 Protocol network, facilities, or equipment as com-  
2 pared to any other such network, facilities, or equip-  
3 ment.

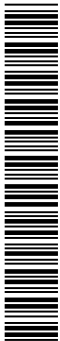
4 (b) RULEMAKING PROCEEDING.—Within 180 days  
5 after the date of the enactment of this Act, the Commis-  
6 sion shall initiate and complete a proceeding to make the  
7 determinations required under subsection (a).

8 (c) REGULATIONS.—Not later than 60 days after the  
9 completion of the proceeding pursuant to subsection (b),  
10 the Commission shall issue any regulations pursuant to  
11 such proceeding.

12 **SEC. 4. DEFINITIONS.**

13 For purposes of this Act:

14 (1) ADVANCED INTERNET COMMUNICATIONS  
15 SERVICE.—The term “advanced Internet commu-  
16 nications service” means an IP network and the as-  
17 sociated capabilities and functionalities, services, and  
18 applications provided over an Internet protocol plat-  
19 form or for which an Internet protocol capability is  
20 an integral component, and services and applications  
21 that enable an end user to send or receive a commu-  
22 nication in Internet protocol format, regardless of  
23 whether the communication is voice, data, video, or  
24 any other form.



1           (2) ADVANCED INTERNET COMMUNICATIONS  
2       VOICE SERVICE.—The term “advanced Internet com-  
3       munications voice service” means an advanced Inter-  
4       net communications service that is offered to the  
5       public for a fee, and that provides real-time voice  
6       communications, and in which that voice component  
7       is the primary function of the service.

8           (3) COMMISSION.—The term “Commission”  
9       means the Federal Communications Commission.

10          (4) IP NETWORK.—The term “IP network”  
11       means the facilities used to transmit and to encode,  
12       digitize, packetize, or route advanced Internet com-  
13       munications services in an Internet Protocol format,  
14       including routers, softswitches, gateways, packet  
15       switches, and transmission facilities.

16          (5) INTERNET PROTOCOL.—The term “Internet  
17       protocol” means the Transmission Control Protocol/  
18       Internet Protocol, or any predecessor or successor  
19       protocols to such protocol.

20          (6) PUBLIC SWITCHED TELEPHONE NET-  
21       WORK.—The term “public switched telephone net-  
22       work” means the collection of interconnected circuit  
23       switched telecommunications.

